



RON CHAPMAN, MD, MPH  
Director & State Health Officer

State of California—Health and Human Services Agency  
California Department of Public Health



EDMUND G. BROWN JR.  
Governor

July 24, 2013  
Certified Mail: 7009 1680 3114 5356

ADM Rice Inc.  
P.O. Box 990  
Arbuckle, CA. 95912

Attention: John Daniels, Superintendent

**Subject: Citation 21-13C-011 For Noncompliance : Total Coliform Reporting Violation –  
Water System 0605004**

Dear Mr. Daniels,

Enclosed is a citation issued to ADM Rice Inc. (Water System). The citation is being issued because the Water System failed to comply with the bacteriological monitoring requirement, as specified in Section 64424, Title 22 of the California Code of Regulations during the month of June 2013.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance. The Further Enforcement Action section describes penalties that may be assessed for failure to comply with the citation.

ADM Rice Inc. will be billed at the Department's current hourly rate of approximately \$126 per hour for the time spent preparing this Citation. The ADM Rice Inc. will receive a bill from the Fee Billing Unit in Sacramento.

If you have any questions, please call Reese Crenshaw at (530) 224-4861, or James Reade at (530) 224-2485.

Richard L. Hinrichs, P.E., Chief  
Northern California Section  
Drinking Water Field  
Operations Branch

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Public Water System:** ADM Rice Inc.

**Water System No:** 0605004

**To:** ADM Rice Inc.  
c/o John Daniels  
P.O. Box 990  
Arbuckle, CA 95912

**Issued:** July 24, 2013

**CITATION FOR NONCOMPLIANCE**  
**TOTAL COLIFORM MONITORING AND REPORTING VIOLATION**

**June 2013**

Chapter 4, Article 9, Section 116650 of Part 1 of Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any regulation, standard, permit or order issued thereunder.



## APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The Department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.



1 California Code of Regulations (CCR), Section 64421(a)(2) states in relevant  
2 part:

3  
4 Each water supplier shall: Collect routine, repeat and replacement  
5 samples as required in Sections 64423, 64424 and 64425.  
6

7  
8 CCR, Section 64424 states in relevant part:

9  
10 (a) If a routine sample is total coliform-positive, the water supplier shall collect  
11 a repeat sample set as described in paragraph (a)(1) within 24 hours of being  
12 notified of the positive result. The repeat samples shall all be collected within  
13 the same 24 hour time period. A single service connection system may  
14 request that the Department allow the collection of the repeat sample set over  
15 a four-day period.

16 **STATEMENT OF FACTS**

17 The Department has determined that ADM Rice Inc. must collect one (1)  
18 routine bacteriological sample per month in accordance with Section 64423,  
19 Title 22 of the CCR. The routine sample for June 2013 (reported 7/1/13) was  
20 positive for total coliform, requiring a repeat sample set per Section 64424.

21 On 7/1/13 the Department notified ADM Rice Inc. of the required repeat  
22 sample set of five bacteriological samples and sample locations. (per phone  
23 conversation with John Daniels)  
24

25 On 7/2/13 ADM Rice Inc. collected only two of the required five repeat  
26 samples.  
27



1 On 7/4/13 the Department notified ADM Rice Inc. of the failure to collect all of  
2 the required repeat samples and granted ADM Rice Inc. an opportunity to  
3 collect the remaining three samples. (Per phone conversation with John  
4 Daniels)

5  
6 As of the date of this citation, the Division of Drinking Water and  
7 Environmental Management of the Department of Public Health (Department)  
8 has not received bacteriological results for the remaining three samples  
9 required in the repeat sample set to be collected from the Water System's  
10 distribution system.

### 11 DETERMINATIONS

12 The Department has determined that the failure to collect a full repeat  
13 bacteriological sample set from the distribution system of ADM RICE INC.  
14 following the total coliform positive routine sample of June 28, 2013, is a  
15 violation of Section 64424, Title 22, of the California Code of Regulations.  
16 The Department hereby issues a citation to ADM Rice Inc. (mailing address:  
17 P.O. Box 990, Arbuckle, CA. 95912) for failure to comply with Section 64424,  
18 Title 22, of the California Code of Regulations.

### 19 DIRECTIVES

20 ADM Rice Inc. is hereby directed to take the following actions:

- 21
- 22 1. Comply with the sampling requirements of Section 64421 and 64424,  
23 Title 22, of the CCR in all future monitoring periods. The water system  
24 is required to report one routine bacteriological sample result per  
25 month. Should a routine sample be positive for total coliform bacteria,  
26 the water system shall conduct repeat sampling in accordance with the  
27 State approved bacteriological sample siting plan and California  
Regulations.



1  
2 2. Notify all persons served by the Water System of the failure to sample,  
3 in conformance with Section 64463.4 and Section 64465, Title 22 of  
4 the CCR. Notification must be completed in accordance with each of  
5 the following:

6  
7 a) By posting of the notice in Attachment A in conspicuous locations  
8 served by the water system by **July 31, 2013**

9  
10 b) Distributing Attachment A by using one or more of the following  
11 methods to reach persons not likely to be reached by public posting:  
12 Email message to employees, posting on the internet or intranet, or  
13 direct delivery by **July 31, 2013**

14  
15 **PARTIES BOUND**

16 This Citation shall apply to and be binding upon the Water System, its officers,  
17 directors, agents, employees, contractors, successors, and assignees.

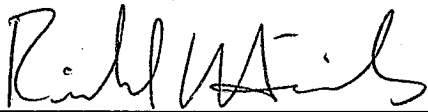
18 **SEVERABILITY**

19 The directives of this Citation are severable, and the Water System shall  
20 comply with each and every provision thereof notwithstanding the  
21 effectiveness of any provision.

22  
23 **FURTHER ENFORCEMENT ACTION**

24 Division 104, Part 12, Chapter 4, (commencing with section 116270) of the  
25 California Health and Safety Code authorizes the Department to: issue  
26 additional citations with assessment of penalties if a public water system  
27 continues to fail to correct a violation identified in a citation; take action to  
suspend or revoke a permit that has been issued to a public water system if  
the system has violated applicable law or regulations or has failed to comply

1 with orders of the department; and petition the superior court to take various  
2 enforcement measures against a public water system that has failed to  
3 comply with orders of the department. The Department does not waive any  
4 further enforcement action by issuance of this citation.  
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11 Richard L. Hinrichs, P.E., Chief  
12 Northern California Section  
13 Drinking Water Field Operations Branch  
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7/24/13

Date



15 CERTIFIED MAIL NO. 7009 1680 0001 3114 5356  
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## COMPLIANCE CERTIFICATION

Citation Number 21-13C-011

Name of Water System: **ADM Rice Inc.**

System Number: **0605004**

### Certification

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of June 2013. In addition, I certify that the ADM RICE INC. complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Complete Attachment A, as required in Directive 2(a)	
Public Notification – Public Posting	
Public Notification – Direct Delivery/Internet/Email	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the notice delivered to the customers. If the notice has been published in a newspaper, attach a copy of the newspaper publication.**

<p><b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN August 10, 2013</b></p>
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**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.



Attachment A

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene informacion muy importante sobre su agua potable. Traduzcalo o hable con alguien que lo entienda bien.

**ADM Rice Inc. Failed to Complete Coliform Bacteria Testing – June 2013**

Our water system failed to report a sample set of coliform bacteria monitoring following a positive routine coliform result in June 2013. Although this is not an emergency, as our employees, you have a right to know about this violation – what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

**What happened?**

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this monitoring are an indicator of whether or not the drinking water meets health standards. We are required to collect and report one coliform bacteria test each month and conduct repeat sampling should the routine test results be positive for coliform bacteria. We did not complete repeat coliform bacteria tests following a positive result in June 2013.

**What does this mean?**

Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and repeat sampling and reporting are important to periodically verify the water quality. Our failure to conduct repeat coliform bacteria sampling in June 2013 was a violation of Section 64424, Title 22 of the California Code of Regulations (CCR).

**What should I do?**

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_

(name)

\_\_\_\_\_

(address)

\_\_\_\_\_

(phone number)